MYSORE ACT No. VIII OF 1939.

THE MYSORE POWER ALCOHOL ACT, 1939.

(AS AMENDED BY ACT III OF 1947.)

(Received the assent of His Highness the Maharaja on the seventh day of February 1939.)

An Act to provide for the mixture of Alcohol with Petrol for use as Motor Fuel in the [1][State of Mysore except Bellary District.]

Preamble.

WHEREAS it is expedient to make provision for the development of the Power Alcohol Industry in the State by requiring its compulsory admixture with petrol for use as motor fuel;

It is hereby enacted as follows:—

Short title and extent.

1. (i) This Act may be called the Mysore Power Alcohol Act, 1939.

(ii) It extends to [1][the whole of the State of Mysore except Bellary District.]

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(*a*) "Distillery" means any premises wherein or within the precincts of which alcohol is manufactured;

(*b*) "Petrol" means dangerous petroleum as defined in the Mysore Petroleum Act, I of 1923;

(*c*) "Alcohol" means ethyl alcohol of not less than 99.4 per cent purity denatured according to the provisions of the Mysore Excise Act, 1901.

Power to direct sale of mixture.

3. (i) The Government may, by notification in the official Gazette, direct that in any local area no petrol shall, from such date as may be specified in such notification, be sold or kept for sale except with an admixture of alcohol manufactured in the State,

[2][Provided that in the case of any breakdown in the supply of power alcohol, the petrol companies in such areas

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1. See the Mysore Adaptation of Laws Order, 1959.
2. Substituted by Act III of 1947.

may sell or keep for sale, with the previous permission of the Excise Commissioner in Mysore and for the period to be specified by him, petrol without an admixture of alcohol manufactured in the State and the fact of such permission having been granted shall be notified in the official Gazette by the said officer.]

(ii) The alcohol to be employed for such admixture shall be obtained from a distillery established by or with the sanction of the Government and the price to be paid to the owner of the distillery for the alcohol shall be fixed by the Government from time to time.

(iii) The proportions of petrol and alcohol in such mixture shall be as notified by the Government in respect of each local area and may be enhanced or reduced from time to time ; but the proportion of alcohol in the mixture shall in no case be more than twenty-five per cent or less than five per cent by volume.

4. [1] * * * *

5. Whoever contravenes the provisions of section 3 shall be punishable with fine which may extend to one thousand rupees and in the case of a continued contravention with a further fine which may extend to one hundred rupees for everyday during which the contravention is continued after conviction therefor. **Punishment.**

6. No prosecution under this Act shall be instituted except under the authority of a District Magistrate. **Prosecution to be authorised.**

7. No offence made punishable by this Act or by any rule made thereunder shall be tried by a Court inferior to that of a Magistrate of the first class. **Offences by whom to be tried.**

8. (i) The Government may make rules for the purpose of carrying into effect the provisions of this Act. **Power to make rules.**

(ii) In particular and without prejudice to the generality of the foregoing power, such rules may—

(*a*) prescribe specifications and tests in respect of the purity of alcohol intended for admixture with petrol in order to ensure its suitability for use on motor vehicles ;

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1. Section 4 repealed—See Central Act XXV of 1950.

(*b*) provide for determining the price to be paid to the owner of a distillery for alcohol supplied for purposes of admixture with petrol;

(*c*) [1] * * * *

(*d*) prescribe conditions in respect of the transport and storage of alcohol intended for admixture with petrol and for the manner in which the admixture is to be effected;

(*e*) prescribe the submission by the manufacturer of alcohol and importers and distributors of petrol, of returns regarding the quantities of anhydrous alcohol and petrol, manufactured, purchased, stored and sold;

(*f*) provide for the authorities by whom functions under this Act are to be discharged and prescribe their duties and powers.

(iii) Rules made under this Act may provide that any contravention of such rules shall render the offender liable, on conviction before a Magistrate, to a fine not exceeding five hundred rupees.

Exemption of petrol used for aviation.

9. Notwithstanding anything contained in this Act, the Government may, by notification published in the official Gazette, declare that the provisions of this Act shall not apply to petrol required for aviation or other special purposes.

1. Repealed—See Central Act XXV of 1950.